

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b>  <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>		Attorney Docket No. <b>528.094</b>	
		First Named Inventor <b>James R. Massie</b>	
		Title <b>APPARATUS AND METHOD FOR ISOLATING AND MEASURING MOVEMENT IN A METROLOGY APPARATUS</b>	
		Express Mail Label No. <b>EV 313 039 003 US</b>	

<b>APPLICATION ELEMENTS</b>  <i>See MPEP chapter 600 concerning utility patent application contents.</i>	<b>ADDRESS TO:</b> Assistant Commissioner for Patents Box Patent Application Washington, D.C. 20231
1. (X) Fee Transmittal Form (e.g., PTO/SB/17) <i>(Submit an original, and a duplicate for fee processing)</i> 2. ( ) Applicant claims small entity status <i>See 37 CFR 1.27</i> 3. (X) Specification [Total Pages <u>26</u> ] <i>(preferred arrangement set forth below, MPEP 1503.01)</i> - Descriptive title of the invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claims - Abstract of the Disclosure 4. (X) Drawing(s) (35 U.S.C. 113) [Total Sheets <u>7</u> ] 5. (X) Oath or Declaration [Total Pages <u>1</u> ] a. (X) Newly executed (original or copy) b. ( ) Copy from a prior application (37 CFR 1.63 (d)) <i>(for continuation/divisional with Box 16 completed)</i> i. ( ) <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63 (d)(2) and 1.33 (b). 6. ( ) Application Data Sheet. See 37 CFR 1.76 7. ( ) CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)	8. ( ) Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. ( ) Computer Readable Form (CRF) b. ( ) Specification Sequence Listing on: i. ( ) CD-ROM or CD-R (2 copies); or ii. ( ) paper c. ( ) Statement verifying identity of above copies <b>ACCOMPANYING APPLICATION PARTS</b> 9. (X) Assignment Papers (cover sheet & document(s)) 10. (X) 37 CFR 3.73(b) Statement (when there is an assignee) (X) Power of Attorney 11. ( ) English Translation Document (if applicable) 12. ( ) Information Disclosure Statement (IDS)/PTO-1449 ( ) Copies of IDS Citations 13. ( ) Preliminary Amendment 14. (X) Return Receipt Postcard (MPEP 503) (Should be specifically itemized) 15. ( ) Certified Copy of Priority Document(s) (if foreign priority is claimed) 16. ( ) Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i) – Applicant must attached form PTO/SB/35 or its equivalent 17. ( ) Other:

16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:


(X) Continuation ( ) Divisional ( ) Continuation-in-part (CIP) of prior application No: 09 / 866,960

Prior application information: Examiner \_\_\_\_\_ Group / Art Unit: \_\_\_\_\_

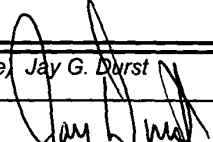
For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**17. CORRESPONDENCE ADDRESS**

<input type="checkbox"/> Customer Number or Bar Code Label		 (Insert Customer No. or Attach bar code label here)		or <input checked="" type="checkbox"/> Correspondence address below	
<b>23598</b> PATENT TRADEMARK OFFICE					
Name	Jay G. Durst				
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City	Milwaukee	State	WI	Zip Code	53202
Country		Telephone	(414) 225-9755	Fax	(414) 225-9753

Name (Print/Type) <b>Jay G. Durst</b>		Registration No. (Attorney/Agent) <b>41,723</b>	
Signature 		Date <b>July 22 2003</b>	

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# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

\$1,882.00

Attorney Docket No.

528.094

## Complete if Known

Application Number

Filing Date

First Named Inventor

James R. Massie

Examiner Name

Art Unit

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money ☐ Other ☐ None☒ Deposit AccountDeposit  
Account  
Number

50-1170

Deposit  
Account  
Name

Boyle Fredrickson Newholm Stein &amp; Gratz S.C.

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee  
to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	750.00
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$750.00)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims		Fee from below	Fee Paid
48	-20**=	28	x	18	504.00
10	-3**=	7	x	84	588.00
Multiple Dependent					

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple dependent claim, if not paid	
1204	84	2204	42	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$1092.00)

\*\* or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	40.00
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)					
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3)					(\$40.00)

## SUBMITTED BY

Name (Print/Type)

Jay G. Durst

Registration No.  
(Attorney/Agent)

41,723

## Complete (if applicable)

Telephone

414.225.9755

Signature

Date

July 22, 2003

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 37 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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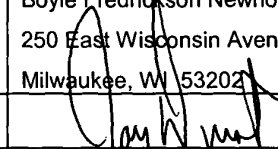
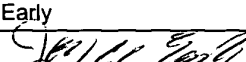
Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)

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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number			
		Filing Date		July 22, 2003	
		First Named Inventor		James R. Massie	
		Group Art Unit		Not Yet Assigned	
		Examiner Name		Not Yet Assigned	
Total Number of Pages in This Submission		2	Attorney Docket Number		528.094
<b>ENCLOSURES (check all that apply)</b>					
<input type="checkbox"/> Fee Transmittal Form		<input checked="" type="checkbox"/> Assignment Papers <i>(for an Application)</i>		<input type="checkbox"/> After Allowance Communication to Group	
<input type="checkbox"/> Fee Attached		<input type="checkbox"/> Drawing(s)		<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences	
<input type="checkbox"/> Amendment / Reply		<input type="checkbox"/> Licensing-related Papers		<input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i>	
<input type="checkbox"/> After Final		<input type="checkbox"/> Petition		<input type="checkbox"/> Proprietary Information	
<input type="checkbox"/> Affidavits/declaration(s)		<input type="checkbox"/> Petition to Convert to a Provisional Application		<input type="checkbox"/> Status Letter	
<input type="checkbox"/> Extension of Time Request		<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address		<input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>	
<input type="checkbox"/> Express Abandonment Request		<input type="checkbox"/> Terminal Disclaimer		Return Postcard	
<input type="checkbox"/> Information Disclosure Statement and Form PTO 1449 <i>(with 4 references)</i>		<input type="checkbox"/> Request for Refund			
<input type="checkbox"/> Certified Copy of Priority Document(s)		<input type="checkbox"/> CD, Number of CD(s)			
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		Remarks			
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53					
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>					
Firm or Individual name	Jay G. Durst Boyle Fredrickson Newholm Stein & Gratz, S.C. 250 East Wisconsin Avenue, Suite 1030 Milwaukee, WI 53202				
Signature					
Date	July 22, 2003				
<b>CERTIFICATE OF MAILING</b>					
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Type or printed name	Joyce Early				
Signature			Date	July 22, 2003	

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INTELLECTUAL PROPERTY LAW

JAY G. DURST  
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July 22, 2003

Mail Stop Box Patent Application  
Commissioner for Patents  
P O Box 1450  
Alexandria, VA 22313-1450

Re: Utility Patent Application Transmittal  
Inventor: James R. Massie  
Title: *APPARATUS AND METHOD FOR ISOLATING AND  
MEASURING MOVEMENT IN A METROLOGY APPARATUS*  
Assignee: Veeco Instruments Inc.  
**USPTO Customer Account No.: 23598**  
Attorney Docket No.: 528.094

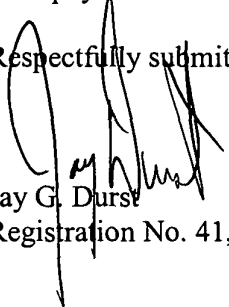
Dear Sir:

Enclosed is our check in the amount of \$1,882.00 in payment of the government filing fee for the enclosed United States patent application, which application includes 26 pages of specification, 48 claims on 9 sheets, 6 drawings on 7 sheets, an Abstract of the Disclosure, and an executed Declaration, and Power of Attorney document, and an Assignment and Recordation Cover Sheet. A Fee Transmittal Form PTO/SB/17 (11/00) is also enclosed.

Please note that this application is a continuation application of U.S. Serial No. 09/855,960, filed May 15, 2001, now U.S. Patent No. 6,530,268, which is a continuation application of U.S. Serial No. 09/803,268, filed March 9, 2001, applicant claims priority accordingly under 35 U.S.C. §120.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1170.

Respectfully submitted,

  
Jay G. Durst  
Registration No. 41,723



23598

PATENT TRADEMARK OFFICE

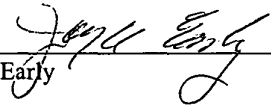
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\_\_\_\_\_  
Joyce Early

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\_\_\_\_\_  
Joyce Early